

## **Cabinet Member Statement: Brandhall Options.**

This is a very important and complex decision for Cabinet and there are several considerations that must be taken in to account before a decision is made on the recommendations within the report.

By way of context, Cabinet authorised the closure of Brandhall Gold Course in May 2020. At that time Cabinet also authorised the development of a masterplan - to include a replacement school for Causeway Green, housing, and new public park.

In November 2021, further public consultation was undertaken to inform the draft masterplan. It was apparent from the public consultation that there was significant public concern around the proposals – which, at that time, were for around 550 new homes, a replacement school and a public park. Given the concerns raised through the public consultation – further technical work was undertaken, and five updated options have been set out including a do-nothing option and an option which retains the entire site as a public park which directly reflects the feedback from residents in the recent consultation

The report in front of you today also sets out the strategic matters that need to be deliberated. You also have a number of technical reports and a private paper setting out commercially confidential information.

All the five options for the Brandhall site retain the existing Parsons Hill Park as a public open space and propose no development at this stage on the existing car park or the site of the club-house.

- The first option, option 1a, is no change or do nothing, this would see the site remain as it is today. Public access would be restricted to the existing public rights of way that cross the site and no new park facilities would be provided. The site would be maintained to the minimal acceptable level for non-accessible open space. This option would provide for just over 35 hectares of predominately inaccessible open-space.
- Option 1b would see the 35 hectares of land designated as a new public park.
- Option 2 provides for a new 32-hectare public park, which equates to around 86% of the whole site, and sets aside 2.68 hectares, or just over 7% of the site, for a replacement school.
- Option 3 would see just under 70% of the site retained as a public park. The park would be around 26 hectares in size, with 2.68 hectares of the site being set aside for the replacement school, and 5.09 hectares or around 14% of the site being set aside for the development of circa 190 new homes.

- Option 4 provides a new park, a new school and the development of circa 360 dwellings. The public park would be just under 22 hectares in size, this would be equivalent to around 60% of the site. As with previous options 2.68 hectares of the site would be set aside for the replacement school, and in this option just over 9 hectares, equivalent to around 24% of the site, would be set aside for residential development.

As mentioned, the options have been put together following public consultation held in November 2021 which showed little public support for the proposals to develop a school and new homes on the site. There were just under 500 responses to the public consultation and the results of each question are included in the consultation outcome report in your papers.

The Cabinet has a very difficult decision to make today as we need to balance a number of considerations.

The consultation report demonstrates that public support for any built development on the site is limited and the large majority of residents responding to the public consultation are keen to see the site retained in its entirety for open space and nature conservation. It is Cabinet's role today to consider the options for the site whilst taking in to account the outcomes of the consultation, the technical considerations, and the wider strategic objectives of the Council as set out in the Council's Corporate Plan.

Three of the options in front of you today (options 2, 3 and 4) include provision of land for a new primary school replacing Causeway Green Primary School which is at the end of its economic life and is one of the poorest condition schools in the Borough - there is a photographic survey in your report pack providing the evidence for this. Choosing an option that includes land for a replacement school would enable the council to provide new state of the art educational facility for local children improving learning outcomes. An area of 2.68 hectares has been identified to the north of the site as the most preferable location for the school. Consideration has been given to replacing the school on its existing site, but the poor site access would make the new build extremely difficult to deliver and cause significant disruption to children and their families as the existing school would need to remain in use during construction. There are also no other sites deemed suitable or available within the immediate locality taking into account DfE requirements for a new school.

Moving to housing, Sandwell has a housing need that far surpasses housing supply, and even after factoring in building on all our brownfield sites, we still have an estimated shortfall of land for housing provision of over 18,000 homes to 2039. In August 2021, there were 9800 people on our council home waiting list, about 35% of these are transfer requests, leaving over 6300 households waiting for council home. By June 2022 the number of households on the social housing register had increased by a further 2,670 households. Two of the options in front of you today (option 3 and 4) would result in the development of new homes, a minimum of 25% of which would be affordable – supporting the housing needs of our growing population in Sandwell.

The site is currently included for residential development in the DRAFT Black Country Plan. All sites that met the Sandwell Strategic Housing Land Availability Assessment (SHLAA) criteria were included in the draft Black Country Plan.

National Planning Policy Framework defines the SHLAA as “a technical exercise to determine the quantity and suitability of land potentially available for housing development. It is not a site allocations exercise – the purpose is to provide a robust indication of aggregate housing capacity at local authority level.”

To be included in the SHLAA a site must be assessed against three criteria: suitability, deliverability and availability. The site had already been declared surplus by the council so met the availability test and as a previously undeveloped site with no significant unforeseen viability issues for delivering housing it is considered deliverable. To be considered suitable a site is assessed against relevant planning constraints and their ability to be mitigated against, but this a broad assessment, not the detailed assessment required as part of a planning application process. It is on this basis that the site is included in the draft Black Country Plan.

Four of the Brandhall site options (1b,2 ,3 and 4) provide for a new public park which would be accessible to all and provide opportunities for informal sports and leisure – you will be aware that the Brandhall site is currently restricted access greenspace and is not managed or maintained as a publicly accessible park. Therefore, four of the options provide an opportunity to create a new park to allow improved access to greenspace. This would be the first new public park in Sandwell in decades if it were to happen.

However, delivering a school and housing would require building on this green-field site. Nature conservation and ecology is another key factor that we must take in to consideration. You will see in the report pack that ecological surveys have been completed to understand the potential wildlife on site and the mitigation measures that could be implemented to ensure any impact on ecology is minimised. Further ecological reports may be required depending on the preferred option, but I am committed to ensuring that, should cabinet make a decision that involves development, the council will work with the Birmingham and Black Country Wildlife Trust to ensure any impact on wildlife is mitigated and the remainder of the site is improved to increase biodiversity as much as possible.

Following endorsement of a report prepared by the Birmingham and Black Country Wildlife Trust the Local Sites Partnership have recommended the entire Brandhall site be a Site of Local Interest for Nature Conservation – the site did not meet the threshold for any designation of regional or national importance, but nevertheless the recommendation from the Local Sites Partnership recognises the sites local ecological importance. The recommendation from the Local Sites Partnership does not take in to account the Council’s strategic needs for new homes or educational facilities so it is important that Cabinet look at the wider strategic needs and take a balanced view in determining whether to approve the proposed SLINC designation in full or in part.

There is a plethora of technical information included in the report. A matter that was raised on several occasions at the public consultation was the impact of any proposed development on existing flooding in the vicinity of the former golf course. Since that public consultation further technical work has been carried out that shows, through the use of sustainable drainage systems and the introduction of attenuation ponds, that all options can meet its own run off requirements and should not contribute to increased flooding in the locality.

As a point of clarity, none of the options propose development on the site of the former clubhouse. Costs have been included in all options, except option 1a, to demolish the clubhouse, however, no proposals are included at this stage to re-provide with a specific community facility. Further work will need to be undertaken to understand existing provision locally and the need for new facilities created from the closure of the clubhouse and the costs associated with providing a new community-based facility. You will note from the confidential commercially sensitive information within your private papers that all options, except do nothing, require some level of further investment from the Council therefore a further funding strategy would be required to finance any new community facility.

I will now to go through each recommendation for consideration by Cabinet.

Recommendation 1.1 is

That Cabinet determines the preferred option for the Brandhall site from 5 options;

Option 1a - No change

Option 1b - Development of a new public park

Option 2 - Provision of land for a new primary school and development of a new public park

Option 3 - Provision of land for a new primary school, a new public park and development of circa 190 residential dwellings

Option 4 - Provision of land for a new primary school, a new public park and development of circa 360 residential dwellings

I have considered all the technical information contained in the report and given due regard to the outcomes of the public consultation, I have also considered the councils strategic need to ensure housing provision for our growing population including the provision of affordable housing and the fact that, even when taking in to account brownfield sites, there is still a shortfall of land in Sandwell for housing - meaning that we have to look towards those difficult sites such as Brandhall. I have considered the benefits to our younger residents of learning in a newly built school and the problems that rebuilding on the same site would create during construction. I have also given due regard to the dis-benefits of building on a greenspace and potentially disturbing existing ecology on site. I also note that the Preliminary Ecology Assessment Report and the report by the Birmingham and Black Country Wildlife Trust is a snapshot in time and there could be other ecology on site that has not yet been formally recorded. The council has to ensure that any necessary

additional ecological surveys are undertaken and through working alongside the Birmingham and Black Country Wildlife Trust ensure that the impact of any proposed development is mitigated as much as possible. The provision of a new accessible park will provide improved access and facilities for local residents and improving public access to the greenspace beyond the existing public rights of way is of fundamental importance.

The previous proposals to develop 550 homes and a school on the site were intensive, and I am pleased that even the most intensive option in front of Cabinet today, option 4 with 360 homes, would still retain around 60% of the site as open space.

I have tried to balance the need for housing and new educational facilities with the request of the local community and the Brandhall Action group to retain the entire site as open-space. Therefore, taking in to account all of these considerations and the information contained in the report, the technical appendices and confidential financial note, **I put forward to Cabinet that option 3 – the delivery a park, replacement school, and circa 190 residential units should be approved. This option would mean around 70% of the site will become publicly accessible open space, the council can provide 190 new homes, of which at least 48 homes would be affordable, and a new school can be provided to ensure our children have the best opportunities in life.**

Recommendation 1.2 is that that should Cabinet determine the preferred option to be Option 1b, 2, 3, or 4 then the Director of Finance in conjunction with the Director of Regeneration be authorised to identify the best option to fund the preferred option including the submission of any external funding applications and any required market testing as may be necessary.

I move that this recommendation be approved.

Recommendation 1.3 is That subject recommendation 1.2 and once more detailed costs are available, a further report be bought back to Cabinet setting out the funding strategy for the preferred option and seeking approval for inclusion into the Capital Programme.

I move that this recommendation be approved.

Recommendation 1.4 is that should Cabinet determine the preferred option be option 2, 3, or 4 delegated authority be given to the Director of Regeneration and Growth to submit a planning application or applications in line with the preferred option.

I move that this recommendation be approved and that a planning application or applications be submitted in line with Option 3.

Recommendation 1.5 is that should Cabinet determine the preferred option to be option 2, 3, or 4 then delegated authority be given to the Director of Regeneration and Growth and the Director of Finance to allocate a minimum of £2.5m of Community Infrastructure Levy Funding from the 80% Main CIL fund towards the capital cost of the replacement of Causeway Green Primary School.

Your financial note sets out the funding requirements for the replacement school. CIL funding is a contribution made by developers to fund infrastructure requirements. I am of the view that £2.5m of the existing CIL fund should be allocated toward the replacement of Causeway Green Primary School given it is one of the poorest condition schools within the Borough, therefore I move that this recommendation be approved.

Recommendation 1.6 is that should Cabinet determine the preferred option to be Options 2, 3 or 4, then the Director of Children and Education submit a further report to Cabinet setting out full proposals for a capital scheme to provide a replacement primary school at Brandhall for Causeway Green Primary School.

I move that this recommendation be approved.

Recommendation 1.7 is that should Cabinet determine the preferred option be option 2, 3, or 4 delegated authority be given to the Director of Regeneration and Growth to take necessary steps (including publication of necessary statutory notices under S.122(2A) of the Local Government Act 1972 (and consideration of any objections received) related to the appropriation of any public open space for Education or Housing purposes [and for the Director of Finance to make the necessary financial adjustments, with regard to the appropriation], and authorises the appropriation of the public open space for Education and/or Housing purposes.

On the basis that Cabinet determines to approve option 3 then I move that recommendation 1.7 be approved.

Recommendation 1.8 is that should Cabinet determine the preferred option to be Options 3 or 4 then reserves from Regeneration and Growth Directorate be allocated for resources to project manage the delivery of the preferred option.

On the basis that Cabinet approves option 3 as the preferred option I move that recommendation 1.8 be approved and that appropriates resources are allocated to deliver the preferred option.

Recommendation 1.9 is that should Cabinet determine the preferred option to be Option 3 or 4 then approval be given to add this to the Council's approved regeneration Pipeline as a new project.

The regeneration pipeline was approved by Cabinet in March this year and sets out the council's plan to deliver over 60 regeneration projects over the next five years. On the basis that Cabinet determine option 3 to be the preferred option I move that the Brandhall site be included on the regeneration pipeline as a new project.

The final recommendation, 1.10 requires Cabinet to make a decision on the designation of the Brandhall Site as a Site of Local Importance for Nature Conservation. Please note there is a typographical error in this recommendation, and the first line should read "That in relation to the proposed Site of Local Importance for Nature Conservation". The word local has been omitted from the first line of the recommendation.

As set out in your report, given the Brandhall site is included in the draft Black Country Plan as a proposed housing site, the Council commissioned the Birmingham and Black Country Wildlife Trust to assess the Brandhall site for its ecological and geological importance. The wildlife trusts report is included in your pack. Following consideration of this report the Local Sites Partnership have recommended the Brandhall site be designated as a Site of Local Interest for Nature Conservation. The site did not meet the threshold for any designation of regional or national importance, but the recommendation from the Local Sites Partnership recognises the sites local ecological importance.

However, in making its recommendation the Local Sites Partnership do not take in to account the Council's strategic need for housing or educational facilities. Therefore, Cabinet now need to weigh the recommendation from the Local Sites Partnership to designate the site as SLINC against the other strategic needs of the council.

Recommendation 1.10 asks Cabinet to either;

- A. Approve the designation of land at Brandhall as a Site of Local Importance for Nature Conservation (SLINC) in accordance with the recommendation of the Local Sites Partnership.
- B. Approve the designation of land at Brandhall as a Site of Local Importance for Nature Conservation (SLINC) excluding any land required for development to deliver the preferred option determined under recommendation 1.1. OR
- C. Not approve the designation of land at Brandhall as a Site of Local Importance for Nature Conservation (SLINC).

Given the Boroughs demonstrated need for housing and the urgent need to replace Causeway Green School, and given that the council will work with the Birmingham and Black Country Wildlife Trust to ensure that any impact on existing ecology is mitigated as far as possible, and biodiversity is increased as far as possible – I move that in relation to the proposed Site of Local Importance for Nature Conservation Cabinet approve B – the designation of land at Brandhall as a Site of Local Importance for Nature Conservation (SLINC) excluding any land required for development to deliver the preferred option determined under recommendation 1.1.

This is a finely balanced decision. However, option 3, providing some housing, a replacement school and retaining 70% of the site as publicly accessible open space, enables the council to meet some of its strategic needs whilst also ensuring that a sizeable part of the site is kept as greenspace. I am also committing the council to work closely with the Wildlife Trust to ensure that wherever possible steps are taken to protect ecology and enhance biodiversity. Therefore, on balance, I believe option 3 and aligning the SLINC designation to this option is the most pragmatic approach Cabinet could take.

Those are the recommendations that I would like Cabinet to consider this afternoon.